

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

STEPHEN LEWIS

PLAINTIFF

V.

NO. 4:23-CV-187-DMB-DAS

**INVESTIGATOR CORY
WEATHERSPOON, et al.**

DEFENDANTS

ORDER

On January 5, 2024, Washington County, Mississippi, Washington County Public Defender Office, Attorney Martin Sanders, and Supervisor Patricia Rogers filed a motion for judgment on the pleadings based on Stephen Lewis’ original complaint. Doc. #9. On April 24, 2024, with leave of the Court, Lewis filed an amended complaint adding Investigator Cory Weatherspoon, in his official and individual capacity, as a named defendant. Docs. #27, #28. The defendants named in the amended complaint together filed an “Answer and Affirmative Defenses to First Amended Complaint” on May 8, 2024. Doc. #33.

“An amended complaint supersedes [an] original complaint and renders it of no legal effect unless the amended complaint specifically refers to and adopts or incorporates by reference the earlier pleading.” *New Orleans Ass’n of Cemetery Tour Guides & Co. v. New Orleans Archdiocesan Cemeteries*, 56 F.4th 1026, 1033 (5th Cir. 2023) (quoting *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994)). “Once filed, [an] amended complaint render[s] all earlier motions ... moot.” *Griffith v. Am. Zurich Ins. Co.*, 697 F. App’x 793, 797 (5th Cir. 2017).

Because the amended complaint here does not incorporate the original complaint,¹ the

¹ The amended complaint appears to allege more and/or different claims than the original complaint. Compare Doc. #1 with Doc. #28.

motion for judgment on the pleadings [9] is **DENIED as moot**.

SO ORDERED, this 17th day of May, 2024.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE